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Attorneys for Defendant
Burlington Stores, Inc.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**ANNETTE MARTINEZ, Individually and
on behalf of all other persons similarly
situated,**

Plaintiff,

v.

BURLINGTON STORES, INC.,

Defendant.

Civil Action No.: 1:16-cv-02064

NOTICE OF MOTION

ORAL ARGUMENT REQUESTED

PLEASE TAKE NOTICE that on August 1, 2016, or as soon thereafter as counsel may be heard, Defendant Burlington Stores, Inc. will move before the Honorable Renee Marie Bumb, U.S.D.J. for an Order dismissing Plaintiff's Complaint with prejudice, pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6). Defendant respectfully requests oral argument on the Motion to Dismiss Plaintiff's Complaint.

PLEASE TAKE FURTHER NOTICE that in support of the Motion, Defendant will rely upon the accompanying Memorandum of Law and proposed form order.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: June 30, 2016

/s/ Christopher Iannicelli
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CERTIFICATE OF SERVICE

I, Christopher Iannicelli, do hereby certify that on June 30, 2016, I caused a true and correct copy of the foregoing motion, together with the accompanying memorandum to be served on all counsel of record via the Court's Electronic Case Filing System.

Dated: June 30, 2016

/s/ Christopher Iannicelli
Christopher Iannicelli